



TSA MANAGEMENT DIRECTIVE No. 200.55
TSA PROPERTY IN THE POSSESSION OF CONTRACTORS

To enhance mission performance, TSA is committed to promoting a culture founded on its values of Integrity, Innovation and Team Spirit.

REVISION: This revised directive supersedes TSA MD 200.55, *TSA Property in the Hands of a Contractor*, dated May 15, 2013.

SUMMARY OF CHANGES: Section 3, Authorities, added TSA MD 200.56 Reports of Survey; Section 4, Definitions, added Accountable Property Officer (APO) and Personal Property; and Section 5, Responsibilities, added APO responsibilities.

1. **PURPOSE:** This directive provides TSA policy and procedures for the accountability, management and control of TSA property in the possession of contractors. This directive ensures that effective accountability and control will be maintained for all Government-furnished Property provided to a contractor.
2. **SCOPE:** This directive applies to all TSA organizational elements.
3. **AUTHORITIES:**
 - A. 41 CFR § 102-36 Disposition of Excess Personal Property
 - B. Aviation and Transportation Security Act (ATSA), PL 107-71
 - C. Financial Management Division, Internal Standard Operating Procedure, Procedure for Review of Capitalized Asset Folders, dated May 3, 2011
 - D. FAR, Parts 45 and 52.245 Government Property, applicable to new contracts awarded pursuant to the FAR
 - E. Homeland Security Acquisition Manual (HSAM) Chapter 3045
 - F. [TSA MD 200.56, Reports of Survey](#)
 - G. [TSA MD 200.57, Personal Property Management](#)
 - H. [TSA Personal Property Management Manual](#)
4. **DEFINITIONS:**
 - A. Accountable Property Officer (APO): The individual responsible for the accountability and control of personal property within his/her jurisdiction. The responsibility may be a collateral duty designated to an individual with a different title within the organization.

- B. Contracting Officer (CO): A government employee with the authority to enter into, administer, or terminate contracts and make related determinations and findings. The extent of their authority to bind the Government is per the appointing authority's delegations.
- C. Contracting Officer's Representative (COR): A government employee designated by a CO to provide technical assistance in the administration of a contract within the limits of the authority delegated by the CO.
- D. Contractor Acquired Property (CAP): Property acquired, fabricated, or otherwise provided by the contractor for performing a contract, and to which the Government retains title unless otherwise specified in the contract.
- E. Government-furnished Property (GFP): Property in the possession of, or directly acquired by, the Government and subsequently furnished to the contractor for performance of a contract.
- F. Government Property (GP): All property owned by or leased to the Government. GP includes GFP and may include CAP.
- G. Personal Property: Personal property includes all tangible assets, with the exception of records and real property, which are owned, controlled, or held by the agency.
- H. Property Administrator (PA): An authorized representative of the CO appointed in accordance with agency procedures, responsible for administering the contract requirements and obligations relating to Government property in the possession of the contractor.
- I. Property Management Officer (PMO): The designated agency official responsible for ensuring compliance with internal policies and Government-wide regulations regarding the acquisition, receipt, accountability, utilization, distribution, and disposal of personal property.

5. RESPONSIBILITIES:

- A. The Director of the Property Management Division (PMD) is the Property Management Officer (PMO) and is responsible for:
 - (1) Attaining efficient, economic and uniform management of all GP required for the performance of contracts.
 - (2) Conducting system analyses and audits to determine the efficacy of contractor records and contractor control systems, as required. These analyses may be accomplished as frequently as conditions warrant.
- B. COs are responsible for:
 - (1) Exercising full control over the contract.

- (2) Providing copies of awarded contracts involving GP, GFP or CAP to the PA.
- (3) Including a representative from PMD on all Integrated Product Teams (IPTs) for contracts which have GP, GFP or CAP.
- (4) Verifying appropriate property clauses are included in all contracts which have GP, GFP and/or CAP.
- (5) Ensuring a qualified PA is appointed to each contract requiring the administration of GP. The PA provides support to the CO and COR in the administration of the contract.

C. CORs are responsible for:

- (1) Ensuring all GFP is listed in the contract.
- (2) Reviewing contractor's property inventory for accuracy.
- (3) Informing PMD of contracts authorized to have GFP or CAP.
- (4) Ensuring GFP is sent to the contractor when needed, and is in serviceable condition.
- (5) Working with PA to provide disposition instructions to the CO.

D. PAs are responsible for:

- (1) Administering contract terms, requirements, and obligations relating to GP.
- (2) Reviewing contracts assigned for property administration to assure property is identified in the contract and is compliant with regulations and contract requirements.
- (3) Evaluating contractor's property management system to ensure the requirements of the applicable procurement system (FAR) have been met.
- (4) Monitoring and reviewing contract activities as they relate to GFP.
- (5) Ensuring contractor procedures provide proper documentation of damage, movement, receipt, and storage of property.
- (6) Ensuring equipment is calibrated in accordance with manufacturer's specifications.
- (7) Ensuring contractor performs periodic inventories and assisting as needed.
- (8) Advising the CO of significant or sensitive property issues and any inventory discrepancies.
- (9) Rendering liability determinations for loss, damage and destruction of property on the basis of contract terms and conditions, subject to legal review by the Office of Chief Counsel.

(10) Providing the CO with disposition instructions for contractor's excess property.

E. APOs are responsible for:

- (1) Ensuring program office accountable and sensitive GP is property recorded in the Sunflower Asset Management System.
- (2) Ensuring prompt reporting of lost, damaged or destroyed GP in accordance with [TSA MD 200.56, Reports of Survey](#).

6. POLICY:

A. Providing GFP:

- (1) It is generally preferred that all property required for the performance of the contract is furnished by the contractor. However, if it becomes necessary or desirable for the Government to provide personal property, or should the contractor be authorized to acquire personal property at the Government's expense, adequate contract terms are to be established to protect, account for, and maintain such property.
- (2) When contractors are provided with GFP, the Government retains title to the property, and the property shall be maintained and controlled as any other accountable property held by TSA.

B. Receipt of GP:

At the point GP is placed in the control or custody of the contractor, the contractor becomes accountable and responsible for that property. Therefore, a qualified PA is to be designated by the relevant CO to provide Government oversight.

C. Property Accountability:

- (1) The PA and contractor are responsible for completing and fully reconciling the physical inventories of GP.
- (2) PMD has the authority to make periodic visits to the locations of all GP at reasonable times for inspection, reviews, and evaluation.

7. PROCEDURES: Please reference the PPMM on [PMD's Personal Property, Compliance, and Disposal Branch's iShare page](#).

8. **APPROVAL AND EFFECTIVE DATE:** This policy is approved and effective the date of signature unless otherwise specified.

APPROVAL

Signed

October 23, 2015

Pat A. Rose, Jr.
Assistant Administrator for Finance and
Administration/Chief Financial Officer

Date

EFFECTIVE

Date

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